

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

OLYMPIA HOTEL MANAGEMENT, LLC,  
a Delaware limited liability company,

Plaintiff/Counter-Defendant,

v.

THE BEND HOTEL DEVELOPMENT  
COMPANY, LLC, an Illinois limited  
liability company,

Defendant/Counter-Plaintiff.

20-cv-00136-NT

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**THE BEND'S  
UNOPPOSED MOTION TO ALTER DEADLINES IN SCHEDULING ORDER**

Defendant/Counter-Plaintiff The Bend Hotel Development Company, LLC (“The Bend”), for its Unopposed Motion to Alter Deadlines in the Scheduling Order, states as follows:

1. In addition to The Bend’s primary source of relevant information and document collection, Mike VanDeHeede, recently testing positive for COVID-19, counsel for The Bend has encountered additional delays outside of The Bend’s or counsel for The Bend’s control in gathering relevant information and documents.

2. Specifically, over the past many weeks both The Bend and counsel for The Bend have been repeatedly contacting The Bend’s Information Technology (“IT”) vendor in an attempt to obtain all information and documents potentially relevant to this case, but The Bend’s IT vendor was either unresponsive or otherwise did not provide the requested information and documents until very recently.

3. On January 15, 2021, counsel for The Bend informed Plaintiff/Counter-Defendant Olympia Hotel Management, LLC’s (“Olympia”) counsel of these additional delays and requested Olympia’s agreement to a fourteen-day extension to all discovery deadlines.

4. In response, counsel for Olympia stated that Olympia will not oppose a request for a fourteen-day extension to all discovery deadlines.

5. Accordingly, The Bend proposes that all discovery deadlines be extended fourteen (14) days, as well as all other deadlines in the Scheduling Order to account for the extension to the discovery deadlines.

WHEREFORE, Defendant/Counter-Plaintiff The Bend Hotel Development Company, LLC respectfully requests that this Honorable Court amend the operative scheduling order as follows:

- a. The deadline to amend pleadings and/or join parties shall be February 25, 2021.
- b. The deadline to designate experts required to be designated by Rule 26(a)(2)(A) on each party's affirmative claims shall be February 25, 2021.
- c. The deadline to designate rebuttal experts required to be designated by Rule 26(a)(2)(A) shall be April 1, 2021.
- d. The deadline to complete discovery shall be April 29, 2021.
- e. The deadline to file a notice of intent to file a motion for summary judgment and need for a pre-filing conference pursuant to Local Rule 56(h) shall be May 6, 2021.
- f. The deadline for the filing of all dispositive motions and all *Daubert* and *Kumho* motions challenging expert witnesses with supporting memoranda shall be May 20, 2021.
- g. The expected trial date shall be August 9, 2021.
- h. Each party shall make a written settlement demand upon the other party by April 15, 2021, and each party shall respond in writing by April 29, 2021.

DATED: January 19, 2021

Respectfully submitted,

/s/ Aaron P. Burns

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